

¶57.16 [Roll No. 132]
AYES—328

Abercrombie	Gilchrist	Molinari
Ackerman	Gillmor	Mollohan
Alexander	Gilman	Montgomery
Anderson	Gingrich	Moody
Andrews (ME)	Gonzalez	Moorhead
Andrews (NJ)	Goodling	Moran
Andrews (TX)	Gordon	Morella
Annunzio	Goss	Morrison
Applegate	Gradison	Mrazek
Aspin	Green	Murtha
Atkins	Guarini	Nagle
Bacchus	Gunderson	Natcher
Ballenger	Hall (OH)	Neal (NC)
Barnard	Hamilton	Nowak
Bateman	Hansen	Oberstar
Beilenson	Harris	Obey
Bennett	Hastert	Olin
Bentley	Hatcher	Olver
Berman	Hayes (IL)	Ortiz
Bevill	Hayes (LA)	Owens (NY)
Bilbray	Hefner	Owens (UT)
Bilfrakis	Henry	Pallone
Blackwell	Hoagland	Panetta
Boehlert	Hobson	Parker
Bonior	Hochbrueckner	Pastor
Borski	Horn	Patterson
Boucher	Horton	Paxon
Brewster	Houghton	Payne (VA)
Brooks	Hoyer	Pelosi
Browder	Huckaby	Perkins
Brown	Hughes	Peterson (FL)
Bruce	Hutto	Peterson (MN)
Bryant	Hyde	Petri
Byron	Jacobs	Pickett
Camp	James	Pickle
Campbell (CA)	Jefferson	Porter
Campbell (CO)	Jenkins	Porter
Cardin	Johnson (CT)	Poshard
Carper	Johnson (SD)	Price
Carr	Johnston	Pursell
Chandler	Jones (NC)	Rahall
Clement	Jontz	Ramstad
Clinger	Kanjorski	Rangel
Coleman (MO)	Kaptur	Ravenel
Coleman (TX)	Kasich	Ray
Collins (IL)	Kennedy	Reed
Collins (MI)	Kennelly	Regula
Condit	Kildee	Richardson
Cooper	Klug	Ridge
Costello	Kopetski	Rinaldo
Cox (IL)	Kostmayer	Ritter
Coyne	LaFalce	Roe
Cramer	Lagomarsino	Roemer
Davis	Lancaster	Ros-Lehtinen
de la Garza	Lantos	Rose
DeFazio	LaRocco	Rostenkowski
DeLauro	Laughlin	Roukema
Dellums	Lehman (CA)	Rowland
Derrick	Lehman (FL)	Roybal
Dicks	Lent	Russo
Dingell	Levin (MI)	Sabo
Dixon	Lewis (FL)	Sanders
Donnelly	Lewis (GA)	Sangmeister
Dooley	Lipinski	Santorum
Dorgan (ND)	Lloyd	Sarpaluis
Downey	Long	Savage
Durbin	Lowery (CA)	Sawyer
Dwyer	Lowey (NY)	Saxton
Early	Luken	Scheuer
Eckart	Machtley	Schroeder
Edwards (CA)	Manton	Schulze
Edwards (TX)	Markey	Schumer
Emerson	Martin	Serrano
Engel	Martinez	Sharp
English	Matsui	Shaw
Erdreich	Mavroules	Shays
Espy	Mazzoli	Sikorski
Evans	McCandless	Sisisky
Fascell	McCloskey	Skaggs
Fawell	McCollum	Skelton
Fazio	McCrery	Slattery
Feighan	McCurdy	Slaughter
Fish	McDade	Smith (FL)
Flake	McDermott	Smith (IA)
Foglietta	McGrath	Smith (NJ)
Ford (MI)	McHugh	Smith (TX)
Ford (TN)	McMillan (NC)	Snowe
Frank (MA)	McMillen (MD)	Solarz
Franks (CT)	McNulty	Solomon
Frost	Meyers	Spence
Gallegly	Mfume	Spratt
Gallo	Michel	Staggers
Gaydos	Miller (CA)	Stallings
Gejdenson	Miller (WA)	Stark
Gekas	Mineta	Stearns
Gephardt	Mink	Stokes
Gibbons	Moakley	Studds

Sundquist	Towns
Swett	Traficant
Swift	Traxler
Synar	Unsold
Tallon	Upton
Tanner	Valentine
Tauzin	Vento
Taylor (MS)	Visclosky
Thomas (CA)	Volkmer
Thomas (GA)	Walsh
Thornton	Washington
Torres	Waters
Torricelli	Waxman

Weber
Weiss
Weldon
Wheat
Wise
Wolf
Wyden
Yates
Yatron
Young (FL)
Zimmer

NOES—79

Allard	Ewing
Allen	Fields
Archer	Geren
Armey	Glickman
Baker	Hall (TX)
Barrett	Hammerschmidt
Barton	Hancock
Bereuter	Hefley
Bliley	Holloway
Boehner	Hopkins
Broomfield	Hubbard
Bunning	Hunter
Burton	Inhofe
Callahan	Ireland
Coble	Johnson (TX)
Combest	Kolbe
Coughlin	Kyl
Cox (CA)	Lewis (CA)
Crane	Lightfoot
Cunningham	Livingston
Dannemeyer	Marlenee
DeLay	McEwen
Dickinson	Miller (OH)
Doolittle	Myers
Dornan (CA)	Nichols
Dreier	Nussle
Duncan	Orton

ANSWERED "PRESENT"—1

Leach

NOT VOTING—26

Anthony	Edwards (OK)	Neal (MA)
AuCoin	Grandy	Oakar
Boxer	Herger	Payne (NJ)
Bustamante	Hertel	Quillen
Chapman	Jones (GA)	Whitten
Clay	Klecza	Wilson
Conyers	Kolter	Wolpe
Darden	Levine (CA)	Wylie
Dymally	Murphy	

So the amendment, as modified, was agreed to.

After some further time, The SPEAKER pro tempore, Mr. VOLKMER, assumed the Chair.

When Mr. SKAGGS, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶57.17 SUBMISSION OF CONFERENCE REPORT—H. CON. RES. 287

Mr. PANETTA submitted a conference report (Rept. No. 102-529) on the concurrent resolution (H. Con. Res. 287) setting forth the congressional budget for the United States Government for the fiscal years 1993, 1994, 1995, 1996, and 1997; together with a statement thereon, for printing in the Record under the rule.

¶57.18 ORDER OF BUSINESS—
MODIFICATION OF AMENDMENT—
H.R. 776

On motion of Mr. SHARP, by unanimous consent,

Ordered, That amendment numbered 4, as printed in House Report No. 102-528 to accompany House Resolution 459, may be offered in a modified form at any time during the consideration today of the bill (H.R. 776) to provide for improved energy efficiency, in the

Committee of the Whole House on the state of the Union.

¶57.19 ENERGY POLICY

The SPEAKER pro tempore, Mr. VOLKMER, pursuant to House Resolution 459 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 776) to provide for improved energy efficiency.

Mr. SKAGGS, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶57.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. JONTZ:

Page 218, after line 7, insert the following new section (and conform the table of contents accordingly):

SEC. 306. OCTANE REPLACEMENT.

(a) OCTANE REPLACEMENT PROGRAM.—
(1) IN GENERAL.—The Secretary of Energy, in consultation with the Administrator, of the Environmental Protection Agency, the Secretary of Transportation, the Secretary of Agriculture, and the heads of other appropriate agencies, shall issue regulations establishing a program to require that—

(A) at least ½ octane number of the octane rating of all gasoline sold in the United States after March 15, 1994, is derived from domestically produced, renewable, nonpetroleum sources;

(B) at least 1 octane number of the octane rating of all gasoline sold in the United States after March 15, 1998, is derived from domestically produced, renewable, nonpetroleum sources;

(C) at least 1½ octane numbers of the octane rating of all gasoline sold in the United States after March 15, 2002, is derived from domestically produced, renewable, nonpetroleum sources; and

(D) at least 2 octane numbers of the octane rating of all gasoline sold in the United States after March 15, 2006, is derived from domestically produced, renewable, nonpetroleum sources.

(2) LIMITATION.—The Secretary of Energy may waive, in whole or in part, the application of paragraph (1) for any ozone non-attainment area during the high ozone season upon a determination by the Administrator of the Environmental Protection Agency that compliance with such requirement would prevent or interfere with the attainment by the area of a national primary ambient air quality standard.

(b) MARKETABLE OCTANE CREDITS.—The Secretary of Energy shall issue regulations establishing a system for the use of marketable octane credits for gasoline sold in the United States after March 15, 1994, under which credits due to gasoline with a higher octane number derived from domestically produced, renewable, nonpetroleum sources than is required under subsection (a)(1) may be used to offset the sale of gasoline with a lower octane number than is so required. Credits under such system may be transferred between companies or within one company.

(c) RELATION TO OTHER LAW. —Nothing in this section shall be construed to amend or affect the application of the Clean Air Act.

(d) DEFINITIONS. For purposes of this section—

(1) the term "gasoline" means any fuel which is commonly or commonly known as

gasoline, and which is sold for use in motor vehicles and motor engines; and

(2) the term "octane rating" means the number determined by adding the Research Octane Number plus the Motor Octane Number of gasoline, and dividing the sum by 2.

It was decided in the } Yeas 198
negative } Nays 211

§57.21 [Roll No. 133]
AYES—198

Abercrombie	Hefley	Pelosi
Alexander	Hefner	Penny
Andrews (NJ)	Hoagland	Perkins
Annunzio	Hochbrueckner	Peterson (MN)
Applegate	Holloway	Petri
Aspin	Horn	Porter
Atkins	Horton	Poshard
Barnard	Hoyer	Price
Barrett	Hubbard	Rahall
Bentley	Hughes	Ramstad
Bereuter	Hyde	Rangel
Berman	Jenkins	Ravenel
Bilbray	Johnson (SD)	Richardson
Blackwell	Johnston	Ridge
Boehner	Jones (NC)	Roe
Borski	Jontz	Roemer
Bruce	Kanjorski	Rose
Bryant	Kasich	Rostenkowski
Burton	Kennedy	Roth
Cardin	Kildee	Russo
Carper	Klecza	Sabo
Clay	Klug	Sanders
Clement	Kopetski	Sangmeister
Coleman (MO)	Kostmayer	Sarpalius
Condit	Lancaster	Savage
Conyers	Lantos	Sawyer
Costello	LaRocco	Saxton
Cox (IL)	Levin (MI)	Scheuer
Darden	Lewis (GA)	Schroeder
de la Garza	Lightfoot	Schumer
DeFazio	Lipinski	Sensenbrenner
Dellums	Lloyd	Serrano
Derrick	Long	Sharp
Dickinson	Luken	Sikorski
Dicks	Marlenee	Skeen
Dooley	Martin	Skelton
Dorgan (ND)	Martinez	Slattery
Durbin	Mavroules	Slaughter
Dwyer	Mazzoli	Smith (FL)
Dymally	McCloskey	Smith (IA)
Edwards (TX)	McDermott	Smith (NJ)
Emerson	McEwen	Spratt
Engel	McHugh	Staggers
Espy	McMillen (MD)	Stallings
Evans	Meyers	Stokes
Ewing	Mfume	Sweet
Facell	Michel	Tanner
Feighan	Miller (OH)	Taylor (MS)
Flake	Moakley	Thomas (GA)
Ford (MI)	Moody	Thornton
Ford (TN)	Morrison	Torricelli
Gallo	Murphy	Traficant
Gejdenson	Murtha	Unsoeld
Gekas	Myers	Valentine
Gephardt	Nagle	Vento
Gilchrest	Neal (MA)	Volkmer
Gillmor	Neal (NC)	Walsh
Glickman	Nussle	Washington
Goodling	Oberstar	Waters
Gordon	Obey	Weber
Gunderson	Olver	Wheat
Hall (OH)	Owens (NY)	Williams
Hansen	Owens (UT)	Wilson
Hastert	Pallone	Wolpe
Hatcher	Panetta	Yatron
Hayes (IL)	Pease	Zimmer

NOES—211

Ackerman	Boniior	Coleman (TX)
Allard	Boucher	Collins (IL)
Allen	Brewster	Collins (MI)
Anderson	Brooks	Combust
Andrews (ME)	Broomfield	Cooper
Andrews (TX)	Browder	Coughlin
Archer	Brown	Cox (CA)
Army	Bunning	Coyne
Bacchus	Bustamante	Cramer
Baker	Byron	Crane
Ballenger	Callahan	Cunningham
Barton	Camp	Dannemeyer
Bateman	Campbell (CA)	DeLauro
Beilenson	Campbell (CO)	DeLay
Bennett	Carr	Dingell
Bevill	Chandler	Dixon
Bilirakis	Chapman	Donnelly
Bliley	Clinger	Doolittle
Boehlert	Coble	Dornan (CA)

Downey	Lent	Rogers
Dreier	Lewis (CA)	Rohrabacher
Duncan	Lewis (FL)	Ros-Lehtinen
Early	Livingston	Roukema
Eckart	Lowey (NY)	Rowland
Edwards (CA)	Machtley	Roybal
English	Manton	Santorum
Erdreich	Markey	Schaefer
Fawell	Matsui	Schiff
Fazio	McCandless	Schulze
Fields	McCollum	Shaw
Fish	McCrery	Shays
Foglietta	McCurdy	Shuster
Frank (MA)	McDade	Sisisky
Franks (CT)	McGrath	Skaggs
Frost	McMillan (NC)	Smith (OR)
Gallegly	McNulty	Smith (TX)
Geren	Miller (CA)	Snowe
Gilman	Miller (WA)	Solarz
Gingrich	Mineta	Solomon
Gonzalez	Mink	Spence
Goss	Molinaro	Stark
Gradison	Mollohan	Stearns
Green	Montgomery	Stenholm
Guarini	Moorhead	Studds
Hall (TX)	Moran	Stump
Hammerschmidt	Morella	Sundquist
Hancock	Mrazek	Swift
Harris	Natcher	Synar
Hayes (LA)	Nichols	Tallon
Henry	Nowak	Tauzin
Hertel	Olin	Taylor (NC)
Hobson	Ortiz	Thomas (CA)
Hopkins	Orton	Thomas (WY)
Houghton	Oxley	Towns
Huckaby	Packard	Upton
Hunter	Parker	Vander Jagt
Hutto	Patterson	Visclosky
Inhofe	Paxon	Vucanovich
Ireland	Payne (VA)	Walker
Jacobs	Peterson (FL)	Waxman
James	Pickett	Weiss
Jefferson	Pickle	Weldon
Johnson (CT)	Pursell	Wise
Johnson (TX)	Ray	Wolf
Kaptur	Reed	Wyden
Kennelly	Regula	Yates
Kolbe	Rhodes	Young (AK)
Kyl	Riggs	Young (FL)
LaFalce	Rinaldo	Zeliff
Lagomarsino	Ritter	
Lehman (CA)	Roberts	

NOT VOTING—25

Anthony	Heger	Pastor
AuCoin	Jones (GA)	Payne (NJ)
Boxer	Kolter	Quillen
Davis	Laughlin	Torres
Edwards (OK)	Leach	Traxler
Gaydos	Lehman (FL)	Whitten
Gibbons	Levine (CA)	Wylie
Grandy	Lowery (CA)	
Hamilton	Oakar	

So the amendment was not agreed to. After some further time,

The SPEAKER pro tempore, Mr. ROEMER, assumed the Chair.

When Mr. SKAGGS, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

§57.22 SUBMISSION OF CONFERENCE REPORT—H.R. 4990

Mr. MURTHA submitted a conference report (Rept. No. 102-530) on the bill (H.R. 4990) rescinding certain budget authority, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

§57.23 ENERGY POLICY

The SPEAKER pro tempore, Mr. ROEMER, pursuant to House Resolution 459 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 776) to provide for improved energy efficiency.

Mr. SKAGGS, Chairman of the Committee of the Whole, resumed the

chair; and after some time spent therein,

§57.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CLEMENT:

On page 719, strike line 20 and all that follows through Page 727, line 3, and insert the following (and redesignate the subsequent provisions, and conform the table of contents, accordingly):

Subtitle A—Combined Construction Permit and Operating License

SEC. 2801. COMBINED LICENSES.

Section 185 of the Atomic Energy Act of 1954 (42 U.S.C. 2235) is amended—

(1) in the heading for such section by adding "and Operating Licenses" after "Permits";

(2) by adding a subsection designator "a." before "All applicants for licenses"; and

(3) by adding at the end the following new subsection:

"b. After holding a public hearing under section 189 a. (1)(A), the Commission shall issue to the applicant a combined construction and operating license if the application contains sufficient information to support the issuance of a combined license and the Commission determines that there is reasonable assurance that the facility will be constructed and will operate in conformity with the license, the provisions of this Act, and the Commission's rules and regulations. The Commission shall identify within the combined license the inspections, tests, and analyses, including those applicable to emergency planning, that the licensee shall perform, and the acceptance criteria that, if met, are necessary and sufficient to provide reasonable assurance that the facility has been constructed and will be operated in conformity with the license, the provisions of this Act, and the Commission's rules and regulations. Following issuance of the combined license, the Commission shall ensure that the prescribed inspections, tests, and analyses are performed and, prior to operation of the facility, shall find that the prescribed acceptance criteria are met. Any finding made under this subsection shall not require a hearing except as provided in section 189 a. (1)(B)."

SEC. 2802. POST-CONSTRUCTION HEARINGS ON COMBINED LICENSES.

Section 189 a. (1) of the Atomic Energy Act of 1954 (42 U.S.C. 2239(a)(1)) is amended—

(1) by adding a subparagraph designator "(A)" before "In any proceeding under this Act."; and

(2) by adding after subparagraph (A) the following new subparagraph:

"(B)(i) Not less than 180 days before the date scheduled for initial loading of fuel into a plant by a licensee that has been issued a combined construction permit and operating license under section 185 b., the Commission shall publish in the Federal Register notice of intended operation. That notice shall provide that any person whose interest may be affected by operation of the plant, may within 60 days request the Commission to hold a hearing on whether the facility as constructed complies, or on completion will comply, with the acceptance criteria of the license.

"(ii) A request for hearing under clause (i) shall show, prima facie, that one or more of the acceptance criteria in the combined license have not been, or will not be met, and the specific operational consequences of non-conformance that would be contrary to providing reasonable assurance of adequate protection of the public health and safety.

"(iii) After receiving a request for a hearing under clause (i), the Commission expedi-